

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

IN RE BARD IVC FILTERS PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

SHORT FORM COMPLAINT FOR DAMAGES FOR INDIVIDUAL CLAIMS

Plaintiff(s) named below, for their Complaint against Defendants named below, incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364).

Plaintiff(s) further show the Court as follows:

- 1. Plaintiff/Deceased Party:**

Robin Morgan

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of consortium claim:

N/A

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):

N/A

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of implant:

New Jersey

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

New Jersey

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

New Jersey

7. District Court and Division in which venue would be proper absent direct filing:

U.S.D.C. for the District of New Jersey

8. Defendants (check Defendants against whom Complaint is made):

□ C.R. Bard Inc.

Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

☒ Diversity of Citizenship

Other:

Complaint:

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):

□ Recovery® Vena Cava Filter

□ G2® Vena Cava Filter

- 1 € G2® Express (G2®X) Vena Cava Filter
2 € Eclipse® Vena Cava Filter
3 X € Meridian® Vena Cava Filter
4 € Denali® Vena Cava Filter
5 € Other: _____

6 11. Date of Implantation as to each product:

7 12/11/2013
8 _____
9 _____

10 12. Counts in the Master Complaint brought by Plaintiff(s):

- 11 X Count I: Strict Products Liability – Manufacturing Defect
12 X Count II: Strict Products Liability – Information Defect (Failure to
13 Warn)
14 X Count III: Strict Products Liability – Design Defect
15 X Count IV: Negligence - Design
16 X Count V: Negligence - Manufacture
17 X Count VI: Negligence – Failure to Recall/Retrofit
18 X Count VII: Negligence – Failure to Warn
19 X Count VIII: Negligent Misrepresentation
20 X Count IX: Negligence *Per Se*
21 X Count X: Breach of Express Warranty
22 X Count XI: Breach of Implied Warranty
22 X Count XII: Fraudulent Misrepresentationmber 16, 2010

- Count XIII: Fraudulent Concealment
 - Count XIV: Violations of Applicable (Insert State)
Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade
Practices
 - Count XV: Loss of Consortium
 - Count XVI: Wrongful Death
 - Count XVII: Survival
 - Punitive Damages
 - Other(s): _____ (please state the facts supporting
this Count in the space immediately below)

RESPECTFULLY SUBMITTED this 8th day of January, 2020.

MCSWEENEY/LANGEVIN LLC

By: /s/ David M. Langevin

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